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IN THE UNITED STATES DISTRICT COURT  
5 FOR THE NORTHERN DISTRICT OF CALIFORNIA

6 MARINO MAGANALLEZ & MARY  
7 MAGANALLEZ,

No. C 06-07340 SI

8 Plaintiffs,  
v.

**ORDER RE: SECOND AMENDED  
COMPLAINT**

9 HILLTOP LENDING CORPORATION, et al.,

10 Defendants.  
\_\_\_\_\_  
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12 Via letter brief, plaintiffs: (1) seek additional time within which to file their Second Amended  
13 Complaint (“SAC”); and (2) seek guidance as to whether they may add new defendants and allegations  
14 to the SAC that are unrelated to the grounds upon which the Court dismissed portions of the First  
15 Amended Complaint (“FAC”). The first request appears moot, because in their letter brief response,  
16 defendants have agreed to allow plaintiffs to file the SAC one week after completion of Mr. Nguyen’s  
17 deposition. Accordingly, the Court GRANTS plaintiffs’ request for an extension to file the SAC;  
18 plaintiffs must file the SAC within one week of completion of Mr. Nguyen’s deposition.

19 With respect to plaintiffs’ second request, Federal Rule of Civil Procedure 15(a) provides that  
20 after initial amendment, “a party may amend the party’s pleading only by leave of court or by written  
21 consent of the adverse party . . . .” In dismissing the FAC, the Court granted plaintiffs leave to amend  
22 to attempt to cure deficiencies of certain claims; if plaintiffs wish to amend beyond the scope of that  
23 leave, they must comply with Rule 15(a), and seek written consent from defendants, or file a motion  
24 with the Court for leave to amend.

25 **IT IS SO ORDERED.**

26 Dated: July 2 , 2007

*Susan Illston*  
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27 SUSAN ILLSTON  
United States District Judge  
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